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PATENT

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Maryvonne CHARLOT et al.

Serial No.: 09/605,054

Group Art Unit: 1619

Filed: June 28, 2000

Examiner: A. Berman

For: SLOW-RELEASE PHARMACEUTICAL FORMULATIONS CONTAINING  
MIZOLASTINE

**TERMINAL DISCLAIMER**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

Supplemental to Applicants' Amendment of April 9, 2001,  
please find herewith a Terminal Disclaimer, which resolves the  
issue concerning any patent granted on copending application  
09/125,810.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: Harvey B. Jacobson, Jr.  
Harvey B. Jacobson, Jr.  
Reg. No. 20,851

400 Seventh Street, N.W.  
Washington, D.C. 20004  
(202) 638-6666  
Atty. Dkt. No.: P62285US1  
HBJ/IMA/dlj  
Date: May 25, 2001



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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENT  
REJECTION (37 CFR 1.321(b))**

Assistant Commissioner of  
Patents  
Washington, D.C. 20231

**1. Identification of Person(s) Making This Disclaimer:**

- 1.1 Name(s) of disclaimant(s) Harvey B. Jacobson, Jr.
- 1.2 Residing at 400 Seventh Street, N.W., Washington, D.C. 20004-2201
- 1.3 Represents that I am:
- an inventor of this invention
- an assignee of this invention
- X a representative authorized to sign on behalf of the assignee identified below.

**2. Identity of Assignee and Title of Disclaimant (if applicable):**

The assignee is:

- 2.1 Name of assignee SANOFI-SYNTHELABO
- 2.2 Address of assignee 174 avenue de France, 75013 Paris, FRANCE
- 2.3 Title of disclaimant authorized to sign on behalf of assignee Patent Attorney

The disclaimant further certifies that the evidentiary documents have been reviewed and, to the best of the disclaimant's knowledge and belief, title is in the assignee seeking to take this action. The above named disclaimant has authority to sign on behalf of the assignee.

**3. Recordal of Assignment in PTO:**

- X the assignment was recorded on February 25, 1999  
Reel 9782  
Frame 237/238
- authorization for recordal of the assignment is separately attached

4. **Extent of Interest:**

- ☒ the whole of this invention
- ☐ a sectional interest in this invention as follows (here state the exact interest of the disclaimant(s):

5. **Disclaimer:**

I hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of:

- ☐ United States Patent No. \_\_\_\_\_, as presently shortened by any terminal disclaimer
- ☒ Any patent granted on application serial number  
09/125,810

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to:

- ☐ United States Patent No. \_\_\_\_\_
- ☒ Any patent granted on application serial number  
09/125,810,

this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantor, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application prior to the expiration date of the full statutory term of:

- ☐ United States Patent No. \_\_\_\_\_, as presently shortened by any terminal disclaimer
- ☒ Any patent granted on application serial number  
09/125,810

in the event that it later; expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

6. **Fee Status:**

(37 CFR 1.20(d) and 37 CFR 1.321)

X other than a small entity - fee \$110.00

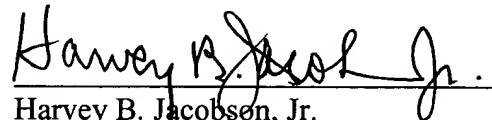
— small entity - fee \$55.00

7. **Fee Payment:**

X Attached is a check in the sum of \$110.00.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statement may jeopardize the validity of the application or any patent issued thereon.

8. Signed this 25th day of May, 2001

  
Harvey B. Jacobson, Jr.  
Reg. No. 20,851

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